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Our File No.
21601-100

September 25, 2009

BY ECF

Hon. Michael L. Orenstein
United States Magistrate Judge
United States District Court
100 Federal Plaza, Room 844
Central Islip, New York 11722-4449

Re: CB Richard Ellis, Inc. v. Binder & Binder, P.C.,
No. 08-CV-0136 (JS) (MLO)

Dear Magistrate Judge Orenstein:

We represent plaintiff CB Richard Ellis, Inc. ("CBRE") in the above matter. On consent of defendant Binder & Binder, P.C. ("Binder"), we write to respectfully request a thirty-day adjournment of the September 30 deadline for requesting a pre-motion conference.

The purpose of the proposed adjournment is for the parties to pursue potential settlement of this matter. The parties previously exchanged a settlement demand and counter offer. A short adjournment of the upcoming deadline will facilitate further settlement communications. In particular, CBRE will make a further settlement demand in the coming days, and it anticipates a prompt response from Binder. It is our hope that at the expiration of the requested thirty-day period, the parties will know whether a settlement is likely. In the meantime, we respectfully submit that a short adjournment furthers the interests of judicial economy and the avoidance of unnecessary expense.

Respectfully submitted,

/S/
John P. McEntee

JPM/fcm

cc: All Counsel of Record (via ECF)